

Exhibit 1

TO: Clerk's Office
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK



APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL

COMPLAINT

22-MJ-680

Docket Number

SUBMITTED BY: Plaintiff ___ Defendant ___ DOJ ☒

Name: Olatokunbo Olaniyan

Firm Name: USAO EDNY

Address: 271A Cadman Plaza East
 Brooklyn, NY 11201

Phone Number: 718-254-6317

E-Mail Address: Olatokunbo.Olaniyan@usdoj.gov

INDICATE UPON THE PUBLIC DOCKET SHEET: YES ___ NO ☒

If yes, state description of document to be entered on docket sheet:

MANDATORY CERTIFICATION OF SERVICE:

A.) ___ A copy of this application either has been or will be promptly served upon all parties to this action, B.) ___ Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) ☒ This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

6/25/2022

DATE

Olatokunbo Olaniyan
 SIGNATURE

A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: _____

Judge/Magistrate Judge: _____

Date Entered: _____

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

Ongoing criminal investigation; risk of flight

**ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE,
 AND MAY NOT BE UNSEALED UNLESS ORDERED BY
 THE COURT.**

DATED: Brooklyn, NEW YORK
 6/25/2022

Robert Levy

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE 6/25/2022

DATE

RCH:OO
F. #2022R00544

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

- against -

CHRISTOPHER GUNN,
also known as “DeBoSki Gunn” and
“DeBoSki,”

Defendant.

- - - - - x

EASTERN DISTRICT OF NEW YORK, SS:

RYAN CHABOT, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigation, duly appointed according to law and acting as such.

On or about October 4, 2021, in the Eastern District of New York and elsewhere, CHRISTOPHER GUNN, knowingly and intentionally transmitted in interstate and foreign commerce communications containing threats to injure the person of another, to wit, threats that would result in the death or seriously bodily injury of Jane Doe-1, Jane Doe-2 and Jane Doe-3, whose identities are known to the affiant.

(Title 18, United States Code, Section 875(c))

TO BE FILED UNDER SEAL

AFFIDAVIT AND
COMPLAINT IN SUPPORT
OF APPLICATION FOR
AN ARREST
WARRANT

(18 U.S.C. § 875)

22-MJ-680

The source of your deponent's information and the grounds for his beliefs are as follows:¹

1. I am a Special Agent with the U.S. Department of Homeland Security, Homeland Securities Investigation ("HSI") and have been since October 2017. I am currently assigned to HSI's New York Field Office and, more specifically, to a squad that investigates human trafficking. I am responsible for conducting and assisting in investigations into the activities of individuals and criminal groups responsible for sex trafficking and related offenses. I have had significant training and experience investigating a wide range of crimes involving violence and threats of violence, including threats made by telephone, online and through other electronic means. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation. Unless specifically indicated, all conversations and statements described in this affidavit are related in sum and substance and in part only.

2. The U.S. Attorney's Office for the Eastern District of New York and HSI's New York Field Office have been investigating Robert Sylvester Kelly, also known as "R. Kelly," (hereinafter, "Kelly") and others for their participation in a racketeering enterprise involving, among other things: bribery; extortion; the production of child pornography; transportation of women and girls across state lines to engage in illegal sexual

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

activity, including sexual contact with individuals who were too young to consent to such activity under state law and failure to notify sexual partners of a sexually transmitted disease prior to engaging in sexual intercourse in violation of state law, and related substantive offenses; and for arranging for travel in interstate commerce with intent to promote, manage, establish, and carry on an extortion, in violation of state law.

3. On September 27, 2021, Kelly was convicted in the U.S. District Court for the Eastern District of New York following a jury trial of racketeering involving predicate racketeering acts of bribery, sexual exploitation of a child, forced labor and Mann Act violations. See United States v. Robert Sylvester Kelly, Criminal Docket No. 19-286 (AMD) (E.D.N.Y.), Dkt. No. 238. Jane Doe-1, Jane Doe-2 and Jane Doe-3 served as the Assistant United States Attorneys responsible for the federal prosecution of Kelly in the above-captioned matter. Kelly is scheduled to be sentenced on June 29, 2022.

4. The defendant CHRISTOPHER GUNN is a resident of Bolingbrook, Illinois. On the Internet, GUNN uses the aliases “DeBoSki Gunn” and “DeBoSki,” to post content to various social media accounts.

5. As of at least September 2021, the defendant CHRISTOPHER GUNN was aware of the federal investigation and prosecution of Kelly and discussed that investigation and prosecution in various social media content. On September 3, 2021, records from the United States District Court for the Eastern District of New York indicate that “Christopher Gunn” signed an overflow courtroom attendance log to publicly view the trial of Kelly. “Christopher Gunn” provided a telephone number ending in 1345 (the “1345 Number”). Open source and law enforcement database searches confirm the 1345 Number belongs to GUNN.

6. On or about October 4, 2021, the defendant CHRISTOPHER GUNN narrated a video, titled “Get Real Familiar” (the “Video”), which was live-streamed on YouTube on the “DeBoSki Gunn” YouTube account, which belongs to GUNN. The Video features a male voice (the “Male Voice”), who for the reasons stated below I have identified as GUNN, relating the following message:

I want y’all to get real familiar with this building I’m about to pull up and show to you. ...Imma show you exactly where we’re gonna be going. And we’re gonna get real familiar with this building, and this building is gonna get real familiar with the enterprise, also known as Kellz Steppers.... We know who is going to stick to everything that I told you, which is that if Kellz goes down, everybody’s going down.²

I believe that the reference to “Kellz” is a reference to Kelly.

7. Approximately two minutes into the Video, the defendant CHRISTOPHER GUNN states, in sum and substance and in relevant part: “You see this building right here? That building is located right outside of the courthouse where R. Kelly was being prosecuted at. It’s the first building on the corner. That is the United States federal prosecution office.” GUNN then displays a photograph of a location on Cadman Plaza East in Brooklyn, New York (the “Photograph”), which I know to be the United States Attorney’s Office for the Eastern District of New York. A Google search box which reads “us attorney eastern district new york office” is displayed in the Video above the Photograph.

8. In the Video, while the Photograph is on the screen, the defendant CHRISTOPHER GUNN states, in sum and substance and in relevant part, “That’s where they at. That’s where they work at...We’re going to storm they office. We’re gonna storm

² The transcripts contained in this affidavit are in draft form and are subject to revision. Moreover, the entirety of each excerpt has not been transcribed.

they office. We going to storm [Jane Doe-1], [Jane Doe-2], and [Jane Doe-3]. We're going to storm they office." The defendant CHRISTOPHER GUNN further states, "[I]f you ain't got the stomach for the shit we bout to do, I'm asking that you just bail out." Shortly after, GUNN shares a video containing a scene from the 1991 crime drama movie "Boyz N The Hood." In the scene, four males ride in a vehicle. One of the males begins to load a firearm, and one of the males asks to be let out of the vehicle. The sound of a gunshot being fired can be heard.

9. Individual-1, whose identity is known to me and who has known the defendant CHRISTOPHER GUNN for several years, has reviewed the Video and identified the Male Voice as GUNN. In addition, I have reviewed the Video and other publicly available social media video postings made by GUNN, and GUNN's voice, as captured in other publicly available social media video postings, closely resembles the Male Voice captured in the Video. Additionally, the Video depicts a profile photograph of GUNN and the "DeBoSki Gunn" username, which GUNN has publicly identified as his own.

10. Furthermore, law enforcement analysis of GUNN's social media accounts have identified information, which I believe, based on my training, experience and participation in this investigation, to be a reference to GUNN's affiliation with the Kelly case. For example, on or about April 15, 2022, GUNN narrated a YouTube Live video titled "R Kelly Propaganda PT46 (Who is Ann Donnelly & Whats Up with Nature Boy,Cash Out)" on the "DeBoSki Gunn" YouTube account. The video includes the hashtags "#FreeRKelly,"

“#AnnDonnelly,” and “#KellzSteppas.”³ I believe that “Ann Donnelly” and “AnnDonnelly” to be references to United States District Judge Ann M. Donnelly, who presided over Kelly’s trial.

11. On or about June 24, 2022, the defendant CHRISTOPHER GUNN posted the following message using his “DeBoSki Gunn” YouTube account: “#TheEnterprise I have a spot for us allllll (sic) to link during the trial see you there.” A YouTube user comments “Cool free r Kelly,” and another YouTube user comments, in sum and substance and in part, “Man Please Free Robert Sylvester Kelly AKA R Kelly...” Based on my training, experience and participation in this investigation, as well as the timing and context of this conversation, I believe GUNN is (1) referencing Kelly supporters (“TheEnterprise,” “r Kelly,” “Robert Sylvester Kelly AKA R Kelly”); (2) indicating he has a location within the Eastern District of New York for Kelly supporters to gather during the upcoming Kelly sentencing scheduled for June 29, 2022 (“I have a spot for us allllll (sic) to link during the trial”); and (3) declaring that he will be present in the Eastern District of New York at that time (“see you there”).

12. An analysis of records from Square Inc., managers of the mobile payment application CashApp, reveals approximately eight transactions between February 26, 2021 and June 1, 2022, which based on the investigation to date, indicates the defendant CHRISTOPHER GUNN engaged in the sale of firearm ammunition in relation to the Kelly matter. For example, on or about February 26, 2021, a CashApp user paid GUNN \$20.00 for

³ In the context of Internet activity, a “hashtag” is a word or phrase preceded by the symbol # that classifies or categorizes the accompanying text (such as a tweet).

“30 rounds on the haters.” On or about August 22, 2021, a CashApp user paid GUNN \$20.00 for “30 rounds.. free R kelly.” On or about June 1, 2022, a CashApp user paid GUNN \$15.00 for “30 rounds.” Based on my training, experience and participation in this investigation, I believe the reference to “rounds” to be a reference to firearm ammunition.

WHEREFORE, your deponent respectfully requests an arrest warrant for the defendant CHRISTOPHER GUNN, also known as “DeBoSki Gunn” and “DeBoSki,” so that he may be dealt with according to law.

I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the

investigation, including by giving the defendant an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

RYAN K
CHABOT

Digitally signed by
RYAN K CHABOT
Date: 2022.06.25
10:09:59 -04'00'

RYAN CHABOT
Special Agent
United States Department of Homeland
Security

Sworn to before me by telephone this
25th day of June, 2022



THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

CHRISTOPHER GUNN,
also known as "DeBoSki Gunn" and
"DeBoSki"

Case No. 22-MJ-680

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) CHRISTOPHER GUNN, also known as "DeBoSki Gunn" and "DeBoSki",
who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Title 18, United States Code, Section 875(c)

Date: 06/25/2022

 Issuing officer's signature
City and state: Brooklyn, NY
Robert M. Levy, U.S.M.J.
 Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____

Print

Save As...

Reset